

#27  
16-203

## Combined Declaration and Power of Attorney for Patent Application

Docket Number: 1887.0020001/JUK/B-C

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled Multiple Marker Characterization of Single Cells, the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on October 29, 1999;  
as United States Application Number or PCT International Application Number 09/430,175; and  
was amended on January 9, 2002 and November 8, 2002 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f) or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application, which designated at least one country other than the United States of America, listed below, and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Application No.)	_____ (Country)	_____ (Day/Month/Year Filed)	
_____ (Application No.)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby appoint the following attorney(s) and/or agent(s) associated with **CUSTOMER NUMBER 28393** to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, such attorneys currently being:

Robert G. Sterne, Esq., Reg. No. 28,912; Edward J. Kessler, Esq., Reg. No. 25,688; Jorge A. Goldstein, Esq., Reg. No. 29,021; David K.S. Cornwell, Esq., Reg. No. 31,944; Robert W. Esmond, Esq., Reg. No. 32,893; Tracy-Gene G. Durkin, Esq., Reg. No. 32,831; Michele A. Cimbala, Esq., Reg. No. 33,851; Michael B. Ray, Esq., Reg. No. 33,997; Robert E. Sokohl, Esq., Reg. No. 36,013; Eric K. Steffe, Esq., Reg. No. 36,688; Michael Q. Lee, Esq., Reg. No. 35,239; Steven R. Ludwig, Esq., Reg. No. 36,203; John M. Covert, Esq., Reg. No. 38,759; Linda E. Alcorn, Esq., Reg. No. 39,588; Lawrence B. Bugaisky, Esq., Reg. No. 35,086; Donald J. Featherstone, Esq., Reg. No. 33,876; Robert C. Millonig, Esq., Reg. No. 34,395; Michael V. Messinger, Esq., Reg. No. 37,575; Judith U. Kim, Esq., Reg. No. 40,679; Timothy J. Shea, Jr., Esq., Reg. No. 41,306; and Patrick E. Garrett, Esq., Reg. No. 39,987.

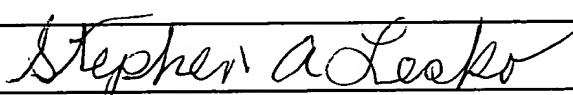
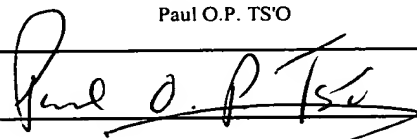
Send Correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934

Direct Telephone Calls to:

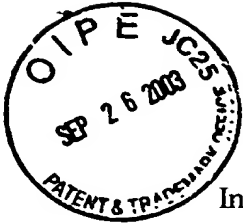
(202) 371-2600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	Stephen A. LESKO		
Signature of sole or first inventor		7/07/03	Date
Residence	Baltimore, Maryland		
Citizenship	U.S.A.		
Mailing Address	7406 Knollwood Road Baltimore, Maryland 21286		
Full name of second inventor	Paul O.P. TS'O		
Signature of second inventor		07/07/03	Date
Residence	Ellicott City, Maryland		
Citizenship	U.S.A.		
Mailing Address	9039 Furrow Avenue Ellicott City, Maryland 21042		

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(Supply similar information and signature for subsequent joint inventors, if any)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Lesko *et al.*

Appl. No. 09/430,175

Filed: October 29, 1999

For: **Multiple Marker Characterization  
of Single Cells**

Confirmation No.: 6875

Art Unit: 1642

Examiner: Canella, Karen A.

Atty. Docket: 1887.0020001/JUK/B-C

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OCT 01 2003  
TECH CENTER 1600/2900

**Request To Correct Inventorship In A Nonprovisional Patent  
Application Under 37 C.F.R. § 1.48(a)(1)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 20231

Sir:

Applicants request that the United States Patent and Trademark Office correct inventorship in the above-captioned nonprovisional patent application in which a declaration has already been filed. Specifically, Applicants request that the Office change the inventorship in this application from Stephen A. Lesko, Paul O.P. Ts'o and Zheng-Pin Wang to **Stephen A. Lesko and Paul O.P. Ts'o**.

This request is accompanied by:

- (1) A statement from the person to be deleted as an inventor, Zheng-Pin Wang, stating that the error in inventorship was made without deceptive intent on his part;
- (2) An oath or declaration by the actual inventors Stephen A. Lesko and Paul O.P. Ts'o, as required by 37 C.F.R. § 1.63;
- (3) The written consent of the assignee of the originally named inventors Cell Works, Inc.; and

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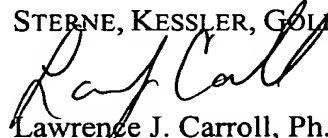
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- (4) The processing fee as set forth under 37 C.F.R. § 1.17(i), in  
our attached PTO-2038 Credit Card Payment Form for  
\$130.00.

Applicants hereby authorize the U.S. Patent and Trademark Office to charge any fee  
deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Lawrence J. Carroll, Ph.D.  
Agent for Applicants  
Registration No. 40,940

Date: September 26, 2003

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

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Confirmation No.: 6875

Art Unit: 1642

Examiner: Canella, Karen A.

Atty. Docket: 1887.0020001/JUK/B-C

**Statement Under 37 C.F.R. § 1.48(a)(2) of A Person  
To Be Added Or Deleted As An Inventor**

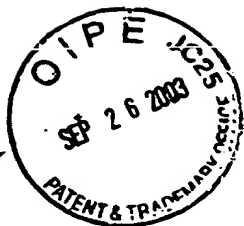
Commissioner for Patents  
P.O. Box 1450  
Washington, D.C. 20231

Sir:

I am not an inventor/coinventor of the invention of one or more claims in the above-captioned nonprovisional application for which an oath or declaration under 37 C.F.R. § 1.63 has been filed erroneously naming me as an inventor. The inventorship error occurred without deceptive intent on my part. I have read and understand 37 C.F.R. § 10.18(b).

Signed:   
Zheng-Pin Wang

Date: 7-03-03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Lesko, *et al.*

Appl. No. 09/430,175

Filed: October 29, 1999

For: **Multiple Marker Characterization of  
Single Cells**

Confirmation No.: 6875

Art Unit: 1642

Examiner: Canella, Karen A.

Atty. Docket: 1887.0020001/JUK/B-C

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**Consent of the Assignee to Change the Inventorship of the  
Application Under 37 C.F.R. § 1.48(a)(5)**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

1. The above-referenced patent application is assigned to Cell Works, Inc. by virtue of an assignment from Stephen A. Lesko, Paul O.P. Ts'o, and Zheng-Pin Wang to Cell Works, Inc. recorded at reel 010653 frame 0590.
2. It has been determined that Zheng-Pin Wang was incorrectly named as an inventor of the above-referenced application.
3. Cell Works, Inc. hereby consents to change the inventorship of the above-referenced application to remove Zheng-Pin Wang as an inventor and to name as inventors Stephen A. Lesko and Paul O.P. Ts'o.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Signature: Harold E. Chapplear  
Name: Harold E. Chapplear, LLD  
Title: President and CEO  
Date: July 7, 2003